

original application, a copy of that terminal disclaimer is not required [to] be filed by applicant in the reissue." Presumably, if it is not necessary to file a copy of a Terminal Disclaimer previously filed in the original application, it is not necessary to file a new Terminal Disclaimer that is duplicative with respect to a Terminal Disclaimer filed in the original application. Notwithstanding this guidance provided by the Manual of Patent Examining Procedures, Examiner Simone stated that another Terminal Disclaimer would be required to negate the obviousness-type double patenting rejection.

In the interest of advancing prosecution of this application, submitted with this Response is another Terminal Disclaimer. Accordingly, withdrawal of the obviousness-type double patenting rejection and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 20, 2008

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620